

Belize

OFFICE TO MONITOR AND COMBAT TRAFFICKING IN PERSONS

2016 Trafficking in Persons Report

Report

BELIZE: TIER 3

Belize is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. The UN Special Rapporteur on Trafficking in Persons reported family members facilitate the sex trafficking of Belizean women and girls. In tourist regions, foreign child sex tourists, primarily from the United States, exploit child sex trafficking victims. Sex trafficking and forced labor of Belizean and foreign women and girls, primarily from Central America, occur in bars, nightclubs, brothels, and domestic service. LGBTI men, women, and children are vulnerable to sex and labor trafficking. Foreign men, women, and children—particularly from Central America, Mexico, and Asia—migrate voluntarily to Belize in search of work and are often exploited by traffickers who recruit victims using false promises of relatively high-paying jobs. Some migrants are subjected to forced labor in restaurants, shops, agriculture, and fishing or to sex trafficking. Trafficking-related complicity by government officials, including those at high levels, remains a problem.

The Government of Belize does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so. Authorities initiated investigations into seven cases involving six suspects and continued one prosecution initiated in a previous year, but did not begin any new prosecutions. In early 2016, the government convicted one trafficker, but imposed a fine in lieu of jail time. Victim identification efforts remained weak. Authorities identified seven victims in 2014 compared with 10 identified the previous year. Although law enforcement raids on commercial sex establishments increased in number from last year, they were ineffective in identifying trafficking victims; moreover, following the raids the government arrested, detained, and deported potential victims for immigration violations. The government did not investigate or prosecute any public officials for alleged complicity in human trafficking-related offenses, despite reports of a significant level of official complicity.

RECOMMENDATIONS FOR BELIZE:

Develop and consistently implement formal procedures to identify and refer to care victims of sex and labor trafficking among vulnerable groups, involving Spanish-speaking social workers, NGOs, or victim advocates in the process to ensure trafficking victims are not penalized and re-victimized for crimes committed as a direct result of trafficking; implement victim-centered procedures during raids, including conducting interviews in a safe and neutral location, separate from immigration inquiries; implement

the anti-trafficking law by vigorously investigating and prosecuting suspected traffickers, including complicit officials, and imposing stringent penalties, including jail time, on convicted traffickers; consider implementing measures to expedite trafficking prosecutions; increase efforts to reintegrate victims and deliver specialized victim care, in partnership with NGOs; update and implement the national anti-trafficking plan; prosecute and impose stringent penalties on child sex tourists; amend laws to effectively criminalize all commercial sex acts with minors and to restrict the ability to offer fines in lieu of prison time during sentencing for trafficking offenders; and develop a targeted campaign to raise awareness among clients of Belize's legal sex trade about the links between prostitution and trafficking.

PROSECUTION

The government made inadequate efforts to investigate and prosecute trafficking offenses and convict traffickers. The Trafficking in Persons (Prohibition) Act 2013 prohibits all forms of trafficking and prescribes penalties of one to eight years' imprisonment for the trafficking of adults and up to 12 years' imprisonment for the trafficking of children. The prescribed penalties are sufficiently stringent, but are not commensurate with those prescribed for rape. The 2013 Commercial Sexual Exploitation of Children (Prohibition) Act criminalizes the facilitation of prostitution of children younger than 18. This law, however, allows adults to legally engage in sexual activity with 16- and 17-year-old children in exchange for remuneration, gifts, goods, food, or other benefits if there is no third party involved—leaving children of this age group vulnerable to sex trafficking.

The government investigated seven sex trafficking cases involving six suspects, but did not initiate any new prosecutions. Authorities continued a child sex trafficking prosecution from 2014 that resulted in the February 2016 conviction of a Honduran national for subjecting a 15-year-old Honduran girl to sex trafficking. A judge imposed a fine of approximately 74,000 Belize dollars (\$37,000), including approximately 15,600 dollars (\$7,800) in compensation to the victim, but did not impose jail time. This was the first conviction under the 2013 anti-trafficking law. The government did not provide updates on cases pending from previous years.

The government's enforcement activity against suspected trafficking consisted largely of raids on venues operating in Belize's sex trade; due to limited intelligence-gathering, a lack of formal victim identification procedures, and suspected complicity among some law enforcement officials, few trafficking crimes were uncovered during these operations and at times they caused further harm to victims. Many women and girls, potentially including trafficking victims, were arrested, jailed, or deported for immigration violations. Many off-duty police officers provided security for sex trade establishments, which may have inhibited victims from coming forward and officers from investigating allegations of trafficking in the sex trade—particularly if made against their employers. The government did not investigate, prosecute, or convict any officials for complicity in trafficking crimes. The Ministry of Human Development hosted a roundtable with judicial officials to discuss ways to improve the anti-trafficking law and prosecutions. The

government coordinated training workshops financed and delivered by NGOs for front-line officials on child protection issues, including child trafficking.

PROTECTION

The government made minimal efforts to protect trafficking victims. Authorities identified seven sex trafficking victims in 2015, including three women and four girls, compared with 10 victims identified in 2014. The government did not have formal written procedures to guide officials in identifying victims. Police asked questions to screen for indicators of trafficking among women and girls apprehended in raids on bars; officials screened more than 250 women and girls suspected to be sex trafficking victims in 2015 and identified five victims through this method. Local experts report these procedures have been largely ineffective in identifying trafficking victims, as the incidence of trafficking among this population is believed to be much higher. Instead, many women and girls, potentially including trafficking victims, were arrested, jailed, or deported for immigration violations. Victims' fear of detention or deportation may have made them reluctant to communicate with law enforcement officers, leaving some victims unidentified.

Identified victims were referred to the Department of Human Services, which made decisions for protection on a case-by-case basis. Adult victims were typically referred to an NGO shelter, while children were placed in foster homes. Experts questioned the appropriateness of foster home placements due to the lack of education about human trafficking for foster parents, uneven coordination and communication between the foster parents and government agencies, and limited psycho-social care for the victims. Services such as medical care and psychological counseling, when available, were provided by NGOs. The government encouraged victims to assist in investigations by providing witness protection and coordinating lodging; court delays and fear of retaliation by traffickers may have caused victims to decline or withdraw cooperation with law enforcement and return to their home countries. The government had a policy to grant temporary residency status to victims willing to cooperate in investigations or prosecutions, though it is unknown whether any received this benefit in 2015; one foreign victim identified in 2014 remained in the country and participated in a prosecution. Victims could apply for work permits, but the cost of 500 Belizean dollars (\$250) to obtain such permits imposed a significant barrier. Belize's anti-trafficking law exempts victims from punishment for crimes committed as a result of being subjected to trafficking; however, NGOs reported that victims not formally identified by the government were commonly arrested, jailed, and deported.

PREVENTION

The government demonstrated minimal prevention efforts. Its anti-trafficking council met quarterly and reportedly began work on a new national action plan, though none was in place during the reporting period, and the prior 2012-2014 anti-trafficking national strategic plan remained largely unimplemented. The government, in partnership with an NGO, expanded its awareness campaign through television, posters, and billboards in

English, Spanish, Mandarin, and Hindi. Authorities continued to disseminate public service announcements on child sexual exploitation, tourism, and the demand for commercial sex acts, but did not investigate, prosecute, or convict any child sex tourists. The government did not make efforts to reduce the demand for forced labor or commercial sex acts. The government did not provide anti-trafficking training for its diplomatic personnel.